

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA and
THE STATE OF NEBRASKA,**

Plaintiffs,

VS.

**PECKHAM, INC., MARK PECKHAM,
THE CITY OF WEST POINT, NEBRASKA,
WIMMER'S MEAT PRODUCTS, INC., AND
WEST POINT DAIRY PRODUCTS, LLC,**

Defendants.

8:08CV293

ORDER

Following a settlement conference with the parties on August 18, 2009:

1) The plaintiffs, United States of America and the State of Nebraska reached a settlement with the defendant Wimmer's Meat Products, Inc. Such parties shall file a proposed consent decree in this matter **on or before October 15, 2009.**

2) The plaintiffs, United States of America and the State of Nebraska and the defendants, Peckham, Inc., and Mark Peckham failed to reach a settlement. Accordingly this matter will be progressed to trial on the issues between such parties.

IT IS SO ORDERED.

DATED this 20th day of August, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge